

THE FAUQUIER COUNTY BOARD OF SUPERVISORS HELD A REGULAR MEETING ON TUESDAY, SEPTEMBER 16, 1997 AT 2:00 P.M. IN WARRENTON, VIRGINIA.

P R E S E N T: Mr. David C. Mangum, Chairman; Mr. James G. Brumfield, Vice Chairman, Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks; Mr. G. Robert Lee, County Administrator; Mr. Paul S. McCulla, County Attorney

#### PRESENTATION OF SEWER PROPOSAL

A work session was held to discuss the New Baltimore Sewer.

#### PUBLIC SAFETY EMERGENCY RADIO SYSTEM STUDY

A work session was held to discuss the Public Safety Emergency Radio System Study. As a result, the formation of a Radio Communications Study Committee was suggested.

#### EXECUTIVE SESSION

Mr. Brumfield moved to go into Executive Session pursuant to Virginia Code Section 2.1-344(A) (3) for the purpose of discussing potential land acquisition and advice from legal counsel. Mr. Weeks seconded, and the vote for the motion was unanimous as follows. Also present during Executive Session were G. Robert Lee, County Administrator; Paul McCulla, County Attorney; and Larry Miller, Parks & Recreation Director.

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks  
Nays: None  
Absent During Vote: None  
Abstention: None

Upon reconvening from Executive Session, Mr. Brumfield moved to adopt the following certification. Mr. Weeks seconded.

#### CERTIFICATION OF EXECUTIVE MEETING

WHEREAS, the Fauquier County Board of Supervisors has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provision of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344(A) (3) of the Code of Virginia requires a certification by this Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law; now, therefore, be it

RESOLVED this 16th day of September 1997, That the Fauquier County Board of Supervisors certifies that, to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Fauquier County Board of Supervisors.

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton; Mr. Larry L. Weeks  
Nays: None

Absent During Vote: Mr. James R. Green, Jr.  
Absent During Meeting: None

The meeting was reconvened in Regular Session at 6:30 p.m. in the Warrenton Green Meeting Room.

#### ADOPTION OF THE AGENDA

Mr. Weeks moved that Section 5-1 and Section 5-2 of the Board of Supervisors Bylaws and Rules of Procedures be suspended to permit the amending of the published agenda to include the following resolutions and proclamation for discussion and action: (1) A Resolution Requesting that the Governor Declare Fauquier County a Disaster Area Following the Drought of 1997; (2) A Resolution To Establish The Board of Supervisors Radio Communications Study Committee; (3) A Proclamation To Promote Community Support For The Expansion Of Lord Fairfax Community College In Warrenton, Virginia, And To Designate The Month Of September, 1997, As "Lord Fairfax Community College - Fauquier Campus Dollars For Scholars Month" In The County Of Fauquier; (4) A Revised Resolution Directing the Board of Supervisors Town/County Liaison Committee Members and Staff to Take Certain Actions Relating to the Adjustment of the Boundary Line Between the Town of Warrenton and the County of Fauquier Relating to the Niess, Benner and Arrington Properties; and (5) A Resolution of Commendation for Arvillene Bowden in Recognition of Her Years of Service to Fauquier County. Mr. Brumfield seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks  
Nays: None  
Absent During Vote: None  
Abstention: None

Mr. Weeks moved to adopt the Agenda as amended. Mr. Brumfield seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks  
Nays: None  
Absent During Vote: None  
Abstention: None

#### CITIZENS TIME

Bryan Tippie distributed copies of the Fauquier County Budget for FY 1998 to the Board and indicated that the Budget was available at various locations for public review.

#### CONSENT AGENDA

Mr. Brumfield moved to adopt the following Consent Agenda items. Mr. Green seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks

Nays: None  
Absent During Vote: None  
Abstention: None

Approval of the Minutes of the August 28, 1997 Adjourned Meeting

Completion of Roads to Virginia Department of Transportation Standards in  
Orlean Crossing Subdivision

#### RESOLUTION

A RESOLUTION TO APPROVE COUNTY COMPLETION OF  
SUBDIVISION ROADS IN ORLEAN CROSSING SUBDIVISION

WHEREAS, the County approved on September 16, 1989, a final plat for Orlean Crossing Subdivision, located off of Route 688 in Orlean, for which the Fauquier County Zoning Ordinance required the roads to be designed and constructed to standards acceptable by the Virginia Department of Transportation for acceptance into the State Secondary Road System; and

WHEREAS, the Fauquier County Subdivision Ordinance required the construction or bonding for construction prior to recordation of the final plat; and

WHEREAS, a Developer's Agreement was executed and a bond was posted on October 3, 1989; and

WHEREAS, the subdivision was put to record and the lots were sold; and

WHEREAS, the bond for the subdivision expired on December 10, 1990, before the roads were accepted into the Secondary Road System for maintenance; and

WHEREAS, the roads were not completed and are not now in a condition acceptable by VDOT for inclusion in the State Secondary Road System; and

WHEREAS, the Virginia Department of Transportation (VDOT) is a state agency and the county can contract with state agencies without compliance with the Virginia Procurement Act; and

WHEREAS, the Board of Supervisors set aside \$34,000 on June 18, 1996 for the completion of the roads within the Misty Run I Subdivision; and

WHEREAS, these funds are still available as the developer completed Misty Run I and the roads are now to VDOT standards; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 16th day of September 1997, That the Board of Supervisors states its intent to reassign funds from the Misty Run I project to the Orlean Crossing project; and, be it

RESOLVED FURTHER, That the Board of Supervisors hereby requests the Virginia Department of Transportation to assist the County in having the necessary improvements completed to bring the roads up to the standards required for acceptance into the State Secondary Roads System.

A Resolution Declaring Fauquier County a Host Community for Bike Virginia's Eleventh Annual Tour - June 19-24, 1998

## RESOLUTION

A RESOLUTION DECLARING FAUQUIER COUNTY A "HOST COMMUNITY"  
FOR BIKE VIRGINIA'S ELEVENTH ANNUAL TOUR, JUNE 19-24, 1998

WHEREAS, the Bicycling Education Association has requested Fauquier County's participation as a "Host Community" for the Eleventh Annual Bike Virginia tour planned for June 19-24, 1998; and

WHEREAS, Bike Virginia having biked the Lee vs. Grant and Lee's Retreat routes of the Civil War Trails project previously, would like to make the 1998 theme the Northern Valley Civil War Campaigns; and

WHEREAS, the Warrenton-Fauquier Visitor Center has expended innumerable hours researching and establishing outstanding sites, which are representative of our area's role in the Civil War, for inclusion in the Civil War Trails project; and

WHEREAS, the Board of Supervisors through its economic development program and through its annual contribution to the Warrenton-Fauquier Visitors Center has established tourism as an important part of the County's economic development strategy; and

WHEREAS, the 1998 Bike Virginia tour is expected to bring up to 2,000 bicyclists and their families who will have a chance to share in the heritage and hospitality of Fauquier County; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 16th day of September 1997, That the Board of Supervisors hereby extends an invitation to Bike Virginia 1998 to be our guests for the Northern Valley Civil War Trails Campaigns; be it

RESOLVED FURTHER, That the Board of Supervisors does hereby express its willingness to serve as a "host community" during the tour which is planned for June 19-24, 1998.

General Fund Loan for Access Improvement at the Landfill

## RESOLUTION

A RESOLUTION TO AUTHORIZE A LOAN  
NOT TO EXCEED \$750,000 TO THE LANDFILL ENTERPRISE  
FUND FOR PURPOSES OF ACCESS IMPROVEMENT

WHEREAS, the Finance Committee of the Fauquier County Board of Supervisors has considered a request for a loan from the General fund to the Landfill enterprise fund for purposes of improving the access road; and

WHEREAS, the Finance Committee directed to Finance Director to prepare a resolution for action by the Board of Supervisors for such a loan, not to exceed \$750,000; now, therefore, be it

RESOLVED, by the Fauquier County Board of Supervisors this 16th day of September 1997, That the Fauquier County Board of Supervisors does hereby authorize a loan from the County's general fund to the Landfill; and, be it

RESOLVED FURTHER, That the Board of Supervisors hereby directs the Finance Director to advance funds under the terms of this loan as necessary as

expenses are incurred upon the submission of appropriate documentation; and, be it

RESOLVED FURTHER, That the Board of Supervisors hereby directs the County Administrator to develop and administer a repayment schedule for this loan; and be it

RESOLVED FINALLY, That this resolution shall take effect upon approval by the Board of Supervisors.

A Resolution Authorizing the County Administrator to Make Application for a Grant from the Virginia Water Improvement Fund for the Purpose of Providing Funding Assistance with Phase II of the Catlett/Calverton Non-Discharge Wastewater System Feasibility and Design Study

#### RESOLUTION

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO MAKE APPLICATION FOR A GRANT FROM THE VIRGINIA WATER IMPROVEMENT FUND FOR THE PURPOSE OF PROVIDING FUNDING ASSISTANCE WITH PHASE II OF THE CATLETT/CALVERTON NON-DISCHARGE WASTEWATER TREATMENT SYSTEM DESIGN

WHEREAS, the Board of Supervisors has established the provision of services in the services districts as one of its highest priorities; and

WHEREAS, the Board of Supervisors has undertaken a detailed feasibility and design study of a non-discharge wastewater system for Catlett and Calverton; and

WHEREAS, the Board of Supervisors, has directed staff to identify any grant or alternative funding opportunities that would help to reduce or offset the expenditure of County taxpayer funds wherever possible; and

WHEREAS, the Department of Community Development has taken the lead in developing an application for state grant funds to provide up to a 50% state grant to help offset the costs of the second phase of the Catlett/Calverton study; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 16th day of September 1997, That the Board of Supervisors does hereby direct the County Administrator to make application on behalf of Fauquier County for grant assistance from the Virginia Water Improvement Fund for the purpose of cost-sharing the expenses related to the Phase II of the Catlett/Calverton Wastewater Alternatives Study.

A Resolution Accepting the Welfare Information Network Grant and Authorizing the County Administrator to Execute Grant Documents

#### RESOLUTION

A RESOLUTION ACCEPTING THE WELFARE INFORMATION NETWORK GRANT AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE GRANT DOCUMENTS

BE IT RESOLVED by the Fauquier County Board of Supervisors this 16th day of September, 1997, That the Welfare Information Network grant in the amount of \$20,000 to assist in the design and testing of prototype strategies for providing a program of committed, quality community assistance for the hard to

serve be, and is hereby, accepted, and the County Administrator be, and is hereby, authorized to execute the necessary grant documents on behalf of Fauquier County.

Amendment of the Alternative Wastewater Feasibility Study to Add the Midland Service District

#### RESOLUTION

A RESOLUTION TO EXPAND THE SCOPE OF THE ALTERNATIVE WASTEWATER FEASIBILITY STUDY CONTRACT WITH PARSONS ENGINEERING SCIENCE, INC. TO INCLUDE THE MIDLAND SERVICE DISTRICT

WHEREAS, the Board of Supervisors working with the Fauquier County Water and Sanitation Authority (WSA) commissioned a study of the potential to provide sanitary sewer services to Midland by pumping to the Remington Wastewater Treatment Plant; and

WHEREAS, the results of the Midland Preliminary Engineering Report indicated that the cost to service Midland via a pump station to Remington on a cost-per-connection-served basis would be significant; and

WHEREAS, the Board of Supervisors wishes to examine all known options, including examining the feasibility of a non-discharge wastewater treatment system, before making any final decisions regarding the provision of wastewater services to Midland Service District; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 16th day of September 1997, That the Board of Supervisors does hereby authorize the County Administrator to amend the County's existing contract with Parsons Engineering Science, Inc. to include the Midland Service District in the Non-Discharge Wastewater Treatment Feasibility Study; and, be it

RESOLVED FURTHER, That the amount of the contract amendment shall not exceed \$6,600 and be paid for out of existing funds previously appropriated for Rt. 28 Service District(s) Implementation.

PROCLAMATION TO RECOGNIZE SEPTEMBER 20 THROUGH OCTOBER 20 AS FALL RIVER RENAISSANCE - PADDY KATZEN

Mr. Weeks moved to adopt the following proclamation. Mr. Brumfield seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks

Nays: None

Absent During Vote: None

Abstention: None

#### PROCLAMATION

A PROCLAMATION RECOGNIZING SEPTEMBER 20 THROUGH OCTOBER 20 AS FALL RIVER RENAISSANCE

WHEREAS, Virginia is blessed with abundant rivers and other waterways throughout the Commonwealth; and

WHEREAS, Virginia's rivers and waterways provide sustenance to her citizens, their communities and their businesses which are important to their quality of life and prosperity; and

WHEREAS, such rivers and waterways are vital natural resources, providing important benefits to fish, wildlife and their habitats; and

WHEREAS, our rivers and waterways provide opportunities for boating, hunting, fishing and other forms of outdoor recreation enjoyed by Virginians and our visitors; and

WHEREAS, the Commonwealth and her citizens should strive to conserve and enhance Virginia's rivers and waters so as to ensure their benefits, for both present and future generations; and

WHEREAS, individual citizens, businesses and organizations, through their voluntary efforts, can accomplish much to conserve our natural resources and provide long-term environmental benefits; and

WHEREAS, the Fall River Renaissance campaign will encourage caring citizens to conserve and improve the rivers and waterways in Virginia, and their exceptional efforts will be recognized; and

WHEREAS, Governor Allen has officially recognized the Fall River Renaissance in the Commonwealth of Virginia; now, therefore, be it

PROCLAIMED by the Fauquier County Board of Supervisors this 16th day of September 1997, That September 20 through October 20 be, and is hereby, recognized as Fall River Renaissance and that this observance be called to the attention of all Fauquier County residents.

A PROCLAMATION TO PROMOTE COMMUNITY SUPPORT FOR THE  
EXPANSION OF LORD FAIRFAX COMMUNITY COLLEGE IN WARRENTON,  
VIRGINIA, AND TO DESIGNATE THE MONTH OF SEPTEMBER, 1997, AS  
"LORD FAIRFAX COMMUNITY COLLEGE - FAUQUIER CAMPUS DOLLARS  
FOR SCHOLARS MONTH" IN THE COUNTY OF FAUQUIER

The following proclamation was presented to Dr. Kathleen Davis by Chairman Mangum in recognition of the Fauquier Campus of Lord Fairfax Community College. No action was taken.

#### PROCLAMATION

A PROCLAMATION TO PROMOTE COMMUNITY SUPPORT FOR THE  
EXPANSION OF LORD FAIRFAX COMMUNITY COLLEGE IN WARRENTON,  
VIRGINIA, AND TO DESIGNATE THE MONTH OF SEPTEMBER, 1997, AS  
"LORD FAIRFAX COMMUNITY COLLEGE - FAUQUIER CAMPUS DOLLARS  
FOR SCHOLARS MONTH" IN THE COUNTY OF FAUQUIER

WHEREAS, the Fauquier Campus of Lord Fairfax Community College will open its new academic buildings to the community in the Fall of 1998, with a projected enrollment of 1,000 students; and

WHEREAS, with completion of the new campus, our community will have a "full-service" campus that will greatly enhance the quality of life and make available a wide-range of educational activities for citizens from all walks of life with varying educational needs and interests; and

WHEREAS, just as the Middletown Campus, cited by Newsweek Magazine as "one of the best community colleges in the country", has become an active force in business and industry in the Shenandoah Valley, the Fauquier Campus will benefit business, industry and the residents of the Town of Warrenton and Fauquier and Rappahannock Counties; and

WHEREAS, the Fauquier Campus of Lord Fairfax Community College will provide a nationally recognized standard of educational excellence at a reasonable price for its students, offering many degrees and certificate programs; and

WHEREAS, Lord Fairfax students can avail themselves of a high quality academic experience that will allow transfer to Virginia's excellent four-year colleges and to public and private colleges anywhere in the country; and

WHEREAS, the Fauquier Campus will offer its expertise, staff and professors in meeting workforce training needs of local business and industry, advanced educational resources for local educators, and continuing education opportunities for all Fauquier County adults; and

WHEREAS, the College facilities will be available in the community for a wide range of educational, artistic and other community activities; and

WHEREAS, the Lord Fairfax Community College Educational Foundation has established a permanent scholarship program for residents of the Counties of Fauquier and Rappahannock, and has scheduled a Dollars for Scholars fundraising event to be held on September 13, 1997, sponsored by a Fauquier County Citizens' Steering Committee made up of private citizens, business and industry leaders, and the College Educational Foundation; now, therefore, be it

PROCLAIMED by the Fauquier County Board of Supervisors this 19th day of August 1997, That the month of September, 1997, is hereby designated "Lord Fairfax Community College - Fauquier Campus Dollars for Scholars Month" in the County of Fauquier.

A RESOLUTION OF COMMENDATION FOR ARVILLENE BOWDEN IN  
RECOGNITION OF HER YEARS OF SERVICE TO FAUQUIER COUNTY

Mr. Green presented Arvillene Bowden with the following resolution for her years of dedicated service to Fauquier County.

A RESOLUTION OF COMMENDATION FOR  
ARVILLENE BOWDEN IN RECOGNITION OF  
HER YEARS OF SERVICE TO FAUQUIER COUNTY

WHEREAS, Arvillene Bowden has faithfully served the citizens of Fauquier County for sixteen years; and

WHEREAS, Arvillene Bowden has successfully implemented comprehensive procurement policies and procedures for both the Fauquier County Public Schools and the general government of Fauquier County; and

WHEREAS, Arvillene Bowden's exemplary professional standards and unwavering adherence to the best practices of her profession provide an example to her division and all public employees in Fauquier County; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 16th day of



September 1997, That Arvillene Bowden be, and is hereby, recognized for her years of faithful service; and; be it

RESOLVED FURTHER, That the Board of Supervisors extends gratitude to Arvillene Bowden for her dedicated service to the public and wishes her success in her future endeavors.

A RESOLUTION DIRECTING THE BOARD OF SUPERVISORS  
TOWN/COUNTY LIAISON COMMITTEE MEMBERS AND STAFF TO TAKE  
CERTAIN ACTIONS RELATING TO THE ADJUSTMENT OF THE BOUNDARY  
LINE BETWEEN THE TOWN OF WARRENTON AND THE COUNTY OF  
FAUQUIER RELATING TO THE NIESS, BENNER AND ARRINGTON  
PROPERTIES

Mr. Brumfield moved to modify the following resolution with the addition of the wording "to take appropriate steps relating to...". Mr. Burton seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks  
Nays: None  
Absent During Vote: None  
Abstention: None

Mr. Brumfield moved to adopt the modified resolution. Mr. Burton seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks  
Nays: None  
Absent During Vote: None  
Abstention: None

#### RESOLUTION

A RESOLUTION OF THE BOARD OF SUPERVISORS OF FAUQUIER  
COUNTY DIRECTING THE BOARD OF SUPERVISORS TOWN/COUNTY  
LIAISON COMMITTEE MEMBERS AND STAFF TO TAKE TO TAKE  
APPROPRIATE STEPS RELATING TO THE ADJUSTMENT OF THE  
BOUNDARY LINE BETWEEN THE TOWN OF WARRENTON AND THE  
COUNTY OF FAUQUIER RELATING TO THE NIESS, BENNER AND  
ARRINGTON PROPERTIES.

WHEREAS, the Town Council for the Town of Warrenton has by previously adopted resolution determined it to be in the best interest of the Town of Warrenton to consider the adjustment of the boundary line between the Town of Warrenton and the County of Fauquier for the properties of the Arthur T. Kelly, Trustee for the Niess Property, Steven R. Benner, et als, and Walter and Arabelle Arrington; and

WHEREAS, the Board of Supervisors of Fauquier County has by the adoption of this resolution determined it to be in the best interest of the County of Fauquier to consider the adjustment of the boundary line between the Town of Warrenton and the County of Fauquier for the properties of the Arthur T. Kelly, Trustee for the Niess Property, Steven R. Benner, et als, and Walter and Arabelle Arrington; and

WHEREAS, the Board of Supervisors has determined the most

appropriate method for adjusting the boundary line between the Town of Warrenton and the County of Fauquier as it relates to the property owned by Arthur T. Kelly, Trustee for the Niess Property to be a boundary adjustment; and

WHEREAS, the Board of Supervisors has determined the most appropriate method for adjusting the boundary line between the Town of Warrenton and the County of Fauquier as it relates to the properties owned by Steven R. Benner, et als and Walter and Arabelle Arrington is by a Voluntary Settlement of Annexation Agreement; now, therefore, be it

RESOLVED by the Board of Supervisors of Fauquier County this 16th day of September, 1997, That the County Administrator and the County Attorney be and are hereby directed to take all steps necessary to adjust the boundary line between the Town of Warrenton and the County of Fauquier as it relates to the property held by Arthur T. Kelly, Trustee for the Niess Property through a boundary line adjustment with the Town of Warrenton; and, be it

RESOLVED FURTHER by the Board of Supervisors of Fauquier County, That the Board of Supervisors Town/County Liaison Committee members and County Administrator and the County Attorney be and are hereby directed to take all steps necessary to negotiate Voluntary Settlement of Annexation Agreements between the Town of Warrenton and the County of Fauquier as related to the properties owned by Steven R. Benner, et als, and Walter and Arabelle Arrington for the purpose of adjusting the boundary line between the Town of Warrenton and the County of Fauquier as it relates to the aforesaid properties.

ZONING ORDINANCE TEXT AMENDMENT TO ARTICLE 12 RELATING TO  
THE SITE PLAN PROCESS AND APPROVAL AUTHORITY

Mr. Mangum moved to adopt the following ordinance. Mr. Brumfield seconded, and the vote for the motion was 4-1 as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton; Mr. Larry L. Weeks

Nays: Mr. James R. Green, Jr.

Absent During Vote: None

Abstention: None

ORDINANCE

AN ORDINANCE TO AMEND ARTICLE 12 OF  
THE ZONING ORDINANCE RELATING TO THE  
SITE PLAN PROCESS AND APPROVAL AUTHORITY

WHEREAS, sections of Article 12, Site Plans, of the Fauquier County Zoning Ordinance are in need of clarifications relating to types of site plans and submission requirements; and

WHEREAS, it is the view of the Ordinance and Regulation Advisory Committee (ORAC) that the approval authority for all site plans should be delegated from the Planning Commission (with Board of Supervisors review) to staff, primarily in order to expedite the site plan review and approval process; and

WHEREAS, the Board of Supervisors, following a public hearing on August 19, 1997, agrees with the ORAC recommendation and now wishes to adopt the amendments to Article 12; and

WHEREAS, by adoption of this Ordinance the Board of Supervisors has determined that the public necessity, convenience, general welfare, or good zoning practice is satisfied by these amendments to the Fauquier County Zoning Ordinance; now, therefore, be it

ORDAINED, by the Fauquier County Board of Supervisors this 16th day of September, 1997, That Article 12 of the Fauquier County Zoning Ordinance, be, and is hereby, amended in as follows:

ARTICLE 12  
SITE PLANS

PART 1 12-100 STATEMENT OF INTENT

It is the intent of this Article to assure compliance with the applicable ordinances and statutes, to encourage innovative and creative design and facilitate use of the most advantageous techniques in the development of land in Fauquier County, to ensure the efficient use of land and to promote high standards in the layout, design, landscaping and construction of development.

PART 2 12-200 DEVELOPMENT OR USE REQUIRING A SITE  
DEVELOPMENT PLAN

12-201 No zoning permit for any use for which an "X" appears in the "Site Plan" column in Part 3 of Article 3 shall be issued unless and until a site plan shall have been submitted and approved in accordance with the provisions of this Article 12. A site plan will not, however, be required for the repair or rehabilitation of an existing structure when such work does not involve and is not related to either a change in use or an increase in the intensity of the use, as determined by the Director.

12-202 The Director may waive the site plan approval requirement based on a determination that:

1. No improvement would be required for the proposed use which might involve surety bonding.
2. The proposal will not involve an increase in the intensity of the existing use with respect to entrances, travelways, parking or impact on neighboring lands.
3. The proposal will result in not more than a 25% increase in either the gross floor area of the structure housing the use or in the outdoor area used.
4. The proposal shall not involve a change in the type of use (as defined by each paragraph-level line item in Part 3 of Article 3).
5. No approval for the proposal is required by County Ordinances from any state agency (other than Health Department approval for septic/drainfield or well systems).
6. The requirement of for a final site plan would not forward the purposes of this Ordinance or otherwise serve the public interest. In such cases, the Director shall require the submission of a preliminary site plan as outlined in Part 3 of this Article. The Commission may recommend that a final site plan be submitted if it deems the preliminary site plan to be insufficient or it may approve the preliminary site plan as submitted with or without the conditions. No conditions shall be imposed which could not be imposed through the

application of the regulations of Article 12.

Any applicant aggrieved of a decision by the Director with respect to approval or denial of a preliminary site plan may appeal to the Planning Commission within ten (10) days of the Director's decision. Appeals shall be filed in the Office of Community Development and Zoning.

PART 3 12-300 PRELIMINARY MINOR SITE PLAN

12-301 Where Site Plans are required under Section 201 of this Article, the following shall be required for submission:

Where site plans are required under Article 3 and Section 201 of this article, the director may determine that the purposes of this ordinance and the public interest can be served by submission and approval of a minor site plan. A minor site plan may be deemed appropriate for uses that are of such scale and impact that the more detailed and complete site plan submission and review requirements are not necessary. In cases where the Director approves submission of a minor site plan, the following processing and application process shall be required unless waived or modified under provisions of Section 12-703 of this Ordinance.

1. An informal meeting and discussion between the applicant or their representative and the staff of the Office of Community Development and Zoning shall be held prior to the submission of a site plan.
1. A preapplication meeting between the applicant and the staff of the Department of Community Development shall be held.
2. The applicant shall present at the preapplication meeting a preliminary or sketch master site plan showing:

- A. Boundary lines of subject property;
  - B. Existing land conditions and existing topography at a maximum of ten (10) foot contour intervals;
  - C. General layout design of proposed development on a scale not smaller than one (1) inch equals one hundred (100 feet);
  - D. General parking and landscape layout;
  - E. Building setback lines; and
  - F. Zoning on subject and adjacent parcels.
3. Preliminary Site Plans shall be reviewed by the staff within twenty-one (21) working days of submission.

12-302 Every site plan submission as hereafter provided shall contain the following information:

Minor site plan may be submitted to the Department of Community Development at any time. The number of copies and the scale of the minor site plan shall be as determined at the preapplication meeting. Minor site plan applications shall contain the following information unless waived or modified by the Director:

1. Location of tract or parcel by vicinity map at a scale of one (1) inch equals 2,000 feet, and landmarks sufficient to properly identify the location of the property.

2. A boundary survey of the tract or site plan limit, with an error of closure within the limit of one in ten thousand (10,000), related to the true meridian, showing the location and type of boundary evidence and the area of the site.
3. A certificate signed by the engineer or surveyor setting forth the source and title of the owner of the tract, the owner's name and the place of record of the last instrument in the chain of title (including deed book and page number).
4. Existing and proposed streets and easements, their names, numbers and width, existing and proposed utilities of all types, water courses and their names, owner, zoning and present use of adjoining tracts.
5. Location, type and size of ingress and egress of the site.
6. Location, type, size and height of all fencing, screening and retaining walls where required under the provisions of applicable ordinances.
7. All off-street parking and parking bays, loading spaces and walkways indicating type of surfacing, size, angle of stalls, width of aisles and a specific schedule showing the number of parking spaces provided and the number required in accordance with this Ordinance. All spaces shall have adequate space for moving and turning.
8. Number of floors, floor area, height and location of each building, and proposed general use for each building - if single family detached or multi-family, the number, size and type of dwelling units shall be shown.
9. Front elevations shall be shown to scale.
10. Existing and proposed water and sanitary sewer facilities indicating all pipe sizes, types and grades and where connection is to be made to an existing or a proposed central water and sewer system.
11. Adequate provision for the disposition of natural and storm water with respect to quality and quantity.
12. Provision and schedule for the adequate control of erosion and sedimentation indicating proposed temporary and permanent control practices and measures which shall be implemented during all phases of clearing, grading and construction.
13. Existing topography accurately shown with a maximum of two (2) foot contour intervals at a scale of not less than fifty (50) feet to the inch.
14. Proposed finished grading by contour supplemented where necessary by spot elevations.
15. All horizontal dimensions shown on the site development plan shall be in feet and decimals of a foot to be closest to one hundredth of a foot, and all bearings in degrees, minutes and seconds to the nearest ten seconds.
16. A landscape design plan, based upon accepted professional design layouts and principles, may be required by the Director and shall be submitted.
17. Written and signed statements from the appropriate officials concerning the availability of gas, electricity, water and sewer to the project.
18. Site plans for the expansion of an existing use on the same lot or onto an adjacent lot will show all existing facilities as well as those proposed.

19. Bond estimates for the construction of required physical improvements within a public right-of-way or easement, or required improvements that will be connected to any public facility.

12-303 Upon receipt of a minor site plan application the Director or his designated agents shall determine within seven working days if the application materials meet the submission requirements. If they do, the application shall be termed officially filed and the Director shall have twenty-one working days from the date of official filing to approve, approve with conditions or deny the minor site plan. If the application is incomplete, it shall be returned to the applicant for corrective action.

PART 4 12-400 FINAL MAJOR SITE PLAN SUBMISSION  
AND PREPARATION PROCEDURE

12-401 An application for final major site plan approval shall be submitted to the agent Department of Community Development accompanied by ten (10) clearly legible blue or black line copies of plans and support materials required by this Ordinance and by the rules of the agent Director and accompanied by the required fee. Such application and materials shall be filed forty (40) days prior to the date of the Planning Commission meeting at which the applicant wishes the plat to be considered. The submission shall be considered officially filed once approved by the agent Director in accordance with Section 12-402 of this Ordinance.

12-402 The agent Director shall have seven (7) working days to review the application, plans, and support materials in order to determine that the submission and content requirements have been met. No application shall be submitted without appropriate the required support materials including applicable review agency approvals for construction plans, profiles, and bond estimates. Once the application is reviewed, written notification of the acceptance or rejection of the submission shall be sent to the applicant by certified mail not later than ten (10) working days after the date of submission. If accepted, the submission shall be officially filed and shall be placed on the Planning Commission agenda. If rejected, the submission package will be returned to the applicant with a list of deficiencies. Upon receipt of the deficiencies, the applicant may submit a revised site plan addressing the deficiencies not later than twenty-three (23) days prior to the meeting which the applicant may correct. Upon review and acceptance of the corrected submission, the applicant shall be considered officially filed and placed on the agenda. If rejected again, the submission package will be returned as stated above. No submission shall be considered officially filed any earlier than twenty-three (23) days before the Planning Commission meeting. No application shall be accepted for submission until all applicable review agency approvals have been submitted.

Written notice of the filing of a site plan and meeting date shall be sent to adjacent property owners and the applicant no later than seven (7) days after the submission is officially filed. In no case shall notification be sent less than fourteen (14) days before the Planning Commission meeting. Notice sent to the last known address of such owners as shown on the current real estate tax assessment book shall be deemed adequate compliance with the requirements. The provision of notice shall be the responsibility of the Office of Community Development and Zoning. A list of adjacent property owners shall be provided by the applicant. The notice shall state: the type of use, the date of submission, the specific location of the proposed development, the appropriate County Office where the site plan may be viewed, and the date, time and place of the public meeting.

12-403 All Construction plans and profiles requiring written approval prior to site plan submission should be submitted to reviewing agencies at least sixty (60) days prior to the desired filing deadline date for which the applicant wishes to be considered.

12-404 The site plan or any portion thereof, involving engineering, architecture, city planning, urban design, landscape architecture or land surveying, shall be prepared by persons qualified to do such work. Final Major site plans shall be certified by an architect, engineer, or land surveyor within the limits of their respective licenses authorizing them to practice by the State of Virginia.

PART 5 12-500 SPECIFIC ITEMS TO BE SHOWN ON FINAL  
MAJOR SITE PLANS

(The remainder of Part 5 remains unchanged.)

PART 6 12-600 MINIMUM STANDARDS AND IMPROVEMENTS  
REQUIRED

(Only Section 12-602 is changed.)

12-602 Bonding and Agreement

Prior to issuance of any building permit there shall be executed by the owner or developer an agreement with the County to construct required physical improvements located within public right-of-way or easements or connected to any public facility, together with bond with surety approved by the Director or the Planning Commission in the amount of the estimated cost of the required physical improvements as determined by the Director. The agreement and bond or condition shall provide for completion of all work with a specified time to be determined by the Director.

PART 7 12-700 ADMINISTRATION AND PROCEDURES  
12-701 General

1. The Director shall be responsible for the receipt, review, processing and approval of site development plans.

2. The Director may request opinions and/or decisions from other agencies, divisions, or authorities of the County government; officials, departments or agencies of the Commonwealth of Virginia; or from other persons as may from time to time be retained.

3. The Director, subject to approval of the Board, may from time to time establish reasonable administrative procedures necessary for the proper administration of the Ordinance.

12-702 Administration Review of Drainage and Erosion and Sediment  
Control Plans

1. Preliminary review of drainage and erosion and sediment control plans shall be made in conference with the developer and the Director.

2. Subsequent review shall be made by the John Marshall Soil and Water Conservation Commission, and where on-site stormwater retention is required, review of designs for such structures shall be made by Planning District 8. Conveyance of plans to these agencies for review shall be the responsibility of the developer. All plans shall be stamped through the Office of Community Development.

3. No site plans shall be subject to approval until approvals by reviewing agencies have been obtained by the Director.

#### 12-703 Review and Approval

1. Site plans which conform to the standards and requirements of this Ordinance shall be approved or modified by the Planning Commission Director.

2. Approval, modification and approval, or disapproval of a site development plan by the Planning Commission Director shall occur within sixty (60) days of filing of the required documents in the office of the Director unless abnormal circumstances exist in which case the time may be extended by action of the Planning Commission Director or with the concurrence of the applicant.

3. Referral to the Board: All final site plans shall be referred to the Board of Supervisors at its next regularly scheduled meeting. The Board of Supervisors, by a majority vote, may consider a site plan at the second regularly scheduled meeting. If the Board takes no action on site plan referrals, the site plan shall be deemed approved or denied in accordance with the action of the Planning Commission.

The Board shall act on any final site plan referral not later than its second regularly scheduled meeting unless an extension is agreed to by the applicant. The Board may approve, approve with modification, or deny the final site plan. Any action by the Board of Supervisors shall be deemed final.

4. 3. Any requirement of this Article relating to site plan submission, preparation and processing may be waived or modified upon written petition by the Planning Commission Director where the applicant has established and the Commission Director finds that strict enforcement of this Article requirement is either unnecessary or would create an undue hardship provided such a waiver or modification, as requested, shall not be adverse to the purpose of the provision being waived.

5. 4. No change, revision or erasure shall be made on any pending or final site plan or on any accompanying data sheet where approval has been endorsed on the plat or sheets unless authorization for such changes is granted in writing by the Planning Commission or Director.

6. 5. Approval of a site plan pursuant to this Ordinance shall expire 18 months after the date of approval unless building permits have been obtained for construction. Extensions may be granted upon written request by the applicant to the Planning Commission Director prior to lapse of approval, and extension of all bond and surety agreements.

7. 6. Any site plan may be revised, provided a request for revision shall be filed and processed in the same manner as the original site plan.

7. Any applicant aggrieved by a decision of the Director with respect to approval or denial of a site plan may appeal to the Board of Zoning Appeals within thirty (30) days of the decision. For purposes of this section the term "person aggrieved" shall mean the applicant and any person who owns real property which is located adjacent to a parcel upon which a site plan has been filed.

(There are no additional changes proposed to Part 7.)



A RESOLUTION TO REQUEST THE HONORABLE GOVERNOR GEORGE ALLEN DESIGNATE FAUQUIER COUNTY AS A DISASTER AREA FOLLOWING THE SEVERE DROUGHT OF THE SUMMER OF 1997

Mr. Burton moved to adopt the following resolution. Mr. Weeks seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks  
Nays: None  
Absent During Vote: None  
Abstention: None

#### RESOLUTION

A RESOLUTION TO REQUEST THE HONORABLE GOVERNOR GEORGE ALLEN DESIGNATE FAUQUIER COUNTY AS A DISASTER AREA FOLLOWING THE SEVERE DROUGHT OF THE SUMMER OF 1997

WHEREAS, the drought experienced during the summer of 1997 has led to some very poor crop conditions throughout Fauquier County; and

WHEREAS, the Virginia Cooperative Extension Office has estimated that the anticipated yields of corn, soybeans and hay will be approximately 50% of the normal average yield; and

WHEREAS, the reduction in anticipated yield will result in direct losses to those farmers who sell crops for cash and will lead livestock producers to buy feed that they would not have had to purchase in a normal year; and

WHEREAS, many county farmers do not have the necessary capital on hand to purchase the required feed; and

WHEREAS, there is a program offered by the United States Department of Agriculture which can help some of these farmers to stay in business if the area has been designated a disaster area by the Governor or President. This program offers low-interest loans to farmers who cannot find loans elsewhere; and

WHEREAS, a request to the Governor to designate Fauquier County a disaster area is the first step in the process of qualifying for this federal program; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 16th day of September 1997, That the Board of Supervisors does hereby request that the Honorable Governor George Allen designate Fauquier County as a disaster area following the severe drought of 1997.

A RESOLUTION TO ESTABLISH THE BOARD OF SUPERVISORS RADIO COMMUNICATIONS STUDY COMMITTEE

Mr. Weeks moved to adopt the following resolution. Mr. Brumfield seconded, and the vote for the motion was 4-1 as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton; Mr. Larry L. Weeks

Nays: None  
Absent During Vote: Mr. James R. Green, Jr.  
Abstention: None

## RESOLUTION

A RESOLUTION TO ESTABLISH THE BOARD OF SUPERVISORS RADIO  
COMMUNICATIONS STUDY COMMITTEE

WHEREAS, the Board of Supervisors is committed to moving expeditiously to correct deficiencies in the current public radio system in a cost effective manner; and

WHEREAS, several studies have been performed to date wherein the County's existing public safety radio system, current and future options and projected system costs have been evaluated; and

WHEREAS, the Board of Supervisors, seeking to bring closure to this issue wishes to appoint a committee of the Board of Supervisors which shall be charged with resolving the differences between the Radio Communication Study(s) and the Report of the Capital Improvements Advisory Committee and to make specific recommendations to the Board of Supervisors at its second regularly scheduled meeting in November regarding the appropriate emergency communications system needed to ensure emergency services have effective and efficient radio communications throughout the County; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 16th day of September 1997, That the Board of Supervisors does hereby appoint and hereby charge the Radio Communications Study Committee; and, be it

RESOLVED FURTHER, That the Board of Supervisors does hereby direct that all meetings of the Radio Communications Study Committee shall be open to the public and that the Committee shall operate in accordance with the Virginia Freedom of Information Act; and, be it

RESOLVED FURTHER, That the Board of Supervisors does hereby authorize reasonable and necessary expenditures from the Board of Supervisors budget for independent communications consulting services as deemed necessary by the Radio Communications Study Committee Chairman; and, be it

RESOLVED FINALLY, That the Board of Supervisors does hereby appoint the following individuals to the Radio Communications Study Committee:

Name	Representing
Jim, Brumfield, Chairman	Board of Supervisors, Public Safety Comm, Joint Dispatch Center
Larry Weeks	Board of Supervisors
Sheriff Joe Higgs	Emergency Services Agencies
Town of Warrenton Rep.	To Be Named by Town Council or Mayor
Dan Hilleary	CIP Advisory Committee
Bob Harris	Emergency Communication Center & Study Sponsor
Herb Pierpan	Citizen with Extensive Communications Experience
Mark Cornwell	Project Coordinator / County Administrator
Bill Weber	Citizen Technical Representative

PROPOSED ORDINANCE ESTABLISHING APRIL 1, 1998 AS THE DEADLINE

FOR FILING APPLICATIONS FOR EQUALIZATION OF REAL ESTATE  
ASSESSMENTS WITH THE BOARD OF EQUALIZATION AND JUNE 15, 1998  
AS THE DEADLINE FOR THE BOARD OF EQUALIZATION TO COMPLETE  
CONSIDERATION OF ALL APPLICATIONS

A public hearing was held to consider changing the deadlines for the Board of Equalization application filing and consideration. No one spoke. The public hearing was closed. Mr. Brumfield moved to adopt the following ordinance. Mr. Green seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W.  
Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks  
Nays: None  
Absent During Vote: None  
Abstention: None

#### ORDINANCE

AN ORDINANCE ESTABLISHING A DEADLINE FOR SUBMITTAL OF  
LANDOWNER APPLICATIONS FOR EQUALIZATION OF REAL ESTATE  
ASSESSMENT TO THE FAUQUIER COUNTY BOARD OF EQUALIZATION  
AND A DEADLINE FOR THE BOARD OF EQUALIZATION FOR COMPLETING  
ITS DELIBERATIONS ON ALL APPLICATIONS

WHEREAS, the County of Fauquier is currently undergoing a general  
reassessment of real property within the County to be effective January 1, 1998;

WHEREAS, Section 58.1-3370 of the Code of Virginia requires the  
establishment of a Board of Equalization to receive applications from landowners  
seeking equalization of their real estate assessments; and

WHEREAS, Section 58.1-3378 of the Code of Virginia provides that the  
Board of Supervisors may establish a deadline by which applications for  
equalization of real estate assessment must be filed with the Board of  
Equalization; and

WHEREAS, Section 58.1-3378 of the Code of Virginia also provides that  
the Board of Supervisors may establish a deadline for the Board of Equalization  
to finally dispose of all applications for equalization of real estate assessment;  
now, therefore, be it

ORDAINED, by the Board of Supervisors of Fauquier County this 16th  
day of September, 1997, That April 1, 1998 be, and is hereby, established as the  
deadline date by which applications for equalization of assessment shall be filed  
with the Fauquier County Board of Equalization; and, be it

ORDAINED FURTHER, That June 15, 1998 be, and is hereby,  
established as the deadline date by which the Fauquier County Board of  
Equalization shall finally dispose of all timely filed applications for equalization of  
real estate assessments.

REZONING REQUEST - CHARLES W. MOORE, JR. AND CLARA M.  
WILLIAMS, TRUSTEES

A public hearing was held to consider a rezoning request for the Charles  
W. Moore property to rezone 2.2 acres from Village Residential (V) to

Commercial Village(CV). A commercial use has existed on the property for approximately forty (40) years. The property is located in the Village of New Baltimore, on the west side of Lee Highway (Route 29), at its intersection with Grays Mill Road (Route 674) and across from the New Baltimore Volunteer Fire Company, PIN #7906-32-3745-000 and PIN #7906-32-1665-000, Scott District. Charles W. Moore, Jr. and Clara M. Williams spoke in favor of the rezoning. No one else spoke. The public hearing was closed. Mr. Weeks moved to adopt the following ordinance. Mr. Brumfield seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks

Nays: None

Absent During Vote: None

Abstention: None

#### ORDINANCE

#### AN ORDINANCE TO APPROVE REZONING AMENDMENT REQUEST CHARLES MOORE PROPERTY

WHEREAS, Charles Moore, Jr. et al, have petitioned to amend the Fauquier County Zoning Map in the Village of New Baltimore by changing 2.2 acres from Village Residential (V) to Commercial Village (CV); and

WHEREAS, this request was filed in accordance with Article 13-202 of the Fauquier County Zoning Ordinance; and

WHEREAS, the Fauquier County Planning Commission held a public hearing on this request on May 29, 1997, and recommended approval of this rezoning amendment; and

WHEREAS, the Board of Supervisors on September 16, 1997, held a public hearing on this Zoning Map Amendment; and

WHEREAS, by the adoption of this Ordinance the Board of Supervisors has determined that the public necessity, convenience, general welfare, or good zoning practice is satisfied by this amendment to the Fauquier County Zoning map; now, therefore, be it

ORDAINED, by the Fauquier County Board of Supervisors this 16th day of September, 1997, That Rezoning Request to rezone 2.2 acres in the Village of New Baltimore and identified as PIN #7906-32-3745-000 and PIN# 7906-32-1665-000 from Village Residential (V) to Commercial Village (CV) be, and is hereby, approved subject to the Rezoning Plat prepared by VDH and Associates dated April 16, 1997 and the applicant's Proffer Statement dated August 28, 1997.

#### AMENDED REZONING REQUEST - GARY D. COOPER AND WILLIAM W. COSTELLO, TRUSTEES - COMMUNITY CHRISTIAN CHURCH

A public hearing was held to consider an amended rezoning request for the Community Christian Church in Morrisville to remove a proffered condition of a 75 foot State of Nature Easement along the frontage of the property. The three (3) acre parcel is located at the intersection of Shipp's Store Road (route 637) and Old Shipp's Store Road, just west of Route 17, near the village of Morrisville, PIN #7806-88-8083-000, Lee District. Larry Irving and Ed Leckliter spoke in favor of the rezoning. No one else spoke. Mr. Mangum

moved to postpone the request upon the necessary proffers had been received, re-advertise and continue the public hearing at the October 21st Board meeting. Mr. Weeks seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks  
Nays: None  
Absent During Vote: None  
Abstention: None

SPECIAL EXCEPTION AMENDMENT - F. SCOTT SEEGERs - AIRPORT HANGER

A public hearing was held to consider a request to amend a previously approved special exception for the Seegers Airstrip to allow the construction of an airport hangar next to the taxi way. The 1986 special exception stipulated that the location of the hangar would be limited to the southeastern side of the strip; however, the applicant noted physical limitation (fill and pond runoff) to locating the hangar at that location. The property is located on the east side of Route 607 approximately one-half mile south of Route 616 (Bristersburg Road) near Crossroads, PIN #7920-71-1382-000, Cedar Run District. Scott Seegers spoke in favor the amendment. No one else spoke. The public hearing was closed. Mr. Burton moved to adopt the following resolution. Mr. Weeks seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks  
Nays: None  
Absent During Vote: None  
Abstention: None

RESOLUTION

A RESOLUTION TO APPROVE SPECIAL EXCEPTION AMENDMENT  
REQUEST F. SCOTT SEEGERs AIRSTRIP

WHEREAS, the applicant, F. Scott Seegers, is requesting a special exception amendment to amend Condition #3 of a previously approved special exception for the Seegers Airstrip to allow construction of an airport hangar next to the taxiway; and

WHEREAS, the Special Exception Amendment Application of F. Scott Seegers has been properly filed and all required notices of the public hearing have been properly made, and the applicant has presented evidence both oral and documentary, and the staff has a filed staff report, all indicating compliance with the general standards for special exception as set forth in Article 5 of the Zoning Ordinance and the Board further finds that the more restrictive standards of Article 5-916 of said Zoning Ordinance are met in this application; now, therefore, be it

RESOLVED, by the Fauquier County Board of Supervisors this 16th day of September 1997, That Special Exception for the F. Scott Seegers Airstrip (PIN 7920-71-1382-000), be and is hereby, approved subject to the following finding and conditions:

The Board of Supervisors finds that the fact that the applicant has physical limitation to locating a hangar in the south eastern side of the strip and the

elimination of Condition #3 of the 1986 Special Exception, thus, allowing the location of the hangar next to the taxiway, will not negatively impact any general or specific standard contained in Article 5 for this use and will serve the purposes of promoting health, safety, and welfare to an equivalent degree.

1. The hangar should not exceed 2500 square feet.
2. All other conditions of the January 18, 1986 Special Exception remain in force.

REZONING REQUEST - PATRICIA D. THOMAS, TRUSTEE - UPPERVILLE  
STORE BUILDING

A public hearing was held to consider a rezoning request for a 7,000 square foot parcel located in the Village of Upperville known as the Upperville Stone Building from Village Residential to Village Commercial. The property is located on the north side of Route 50, just east of Poplar Row Street, PIN #6064-05-1029, Marshall District. Patricia Thomas spoke in favor of the request. No one else spoke. The public hearing was closed. Mr. Green moved to adopt the following ordinance. Mr. Brumfield seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks  
Nays: None  
Absent During Vote: None  
Abstention: None

ORDINANCE

AN ORDINANCE TO APPROVE REZONING REQUEST  
PATRICIA THOMAS, TRUSTEE

WHEREAS, Patricia Thomas has petitioned to amend the Fauquier County Zoning Map by changing a 7,000 square foot parcel in the Village of Upperville from Village Residential to Village Commercial; and

WHEREAS, this request was filed in accordance with Article 13-202 of the Fauquier County Zoning Ordinance; and

WHEREAS, the Fauquier County Planning Commission held a public hearing on this request on August 28, 1997 and recommended approval of this rezoning request; and

WHEREAS, the Board of Supervisors on September 16, held a public hearing on this Zoning Map Amendment; and

WHEREAS, by the adoption of this Ordinance the Board of Supervisors has determined that the public necessity, convenience, general welfare, or good zoning practice is satisfied by this amendment to the Fauquier County Zoning map; now, therefore, be it

ORDAINED, by the Fauquier County Board of Supervisors this sixteenth day of September, 1997, That the Rezoning Request to amend the Fauquier County Zoning Ordinance from Village Residential to Commercial Village (PIN #6064-05-1029) and is hereby, approved subject to the proffer statement dated 15 September, 1997.

There being no further business, the meeting was adjourned.